



TFW 1638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Katagiri, et al.

Serial Number: 09/887,272

Filed: June 23, 2001

For: Plant Genes Involved In Defense
Against Pathogens

Art Unit: 1638

Confirmation No.: 5142

Former Attorney Docket: 1360.003US2

New Atty Docket: 50009USPCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO RESTRICTION/ELECTION REQUIREMENT and
PRELIMINARY AMENDMENT

Sir:

In response to the Restriction Requirement in the Office Action mailed December 2, 2005, Applicant hereby elects, without traverse, group I (claims 1-33) and the polynucleotide of SEQ ID NO: 4794.

A Petition for Extension of Time for three months is hereby requested pursuant to 37 C.F.R. § 1.136(a). Accordingly, please charge Applicant's Credit Card in the amount of \$1020 for this Petition. A Credit Card Payment Form is enclosed for fee purposes. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

02/28/2006 RFEKADU1 00000020 09887272

01 FC:1253

1020.00 DP

Before examination on the merits, please amend the above-identified application as follows: